

Message

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Sent: 8/15/2017 7:00:40 PM
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Subject: 179B Questions Answered

All-

Thanks for bearing with us as we worked through your questions regarding 179B demonstrations. Our answers are in red below. There was a question put forth during our meeting yesterday regarding timing for submitting a 179B demo for the 2015 ozone NAAQS so as to avoid a moderate reclassification and what they demo might look like. I will follow-up with that information. In the meantime, please let me know if you have any questions regarding our answers below as they pertain to the 2008 NAAQS.

Thank you.

1. Timing

- a. When would EPA need Colorado's 179B demonstration by to avoid reclassification?
 - i. Does the plan need to be submitted prior to EPA proposing reclassifications, prior to the attainment date (July 20, 2018), prior to the deadline for EPA to reclassify (January 20, 2019), or before reclassifications are finalized?
 - Colorado should submit a full and complete 179B(b) demonstration as soon as possible. Colorado should consider the time it will take EPA to act on the 179B demo and work with Region 8 to determine a timeline for submission and EPA action (see response to 1(a)(ii) below). Since Colorado has already submitted a full and complete attainment demonstration, Colorado may limit their 179B demonstration to a retrospective analysis meaning they would only be required to submit a demonstration under 179B(b).
 - o Note: EPA cannot approve a 179B(b) demo without certified data indicating that a state did not attain the NAAQS.
 - ii. If the modeling analysis cannot be completed prior to submittal, can Colorado submit a partial 179B demonstration, as long as it gets the full and complete demonstration submitted prior to January 20, 2019 (the deadline for EPA to reclassify)?
 - o While 179B(b) allows an area to avoid reclassification upon failure to attain if the area would have attained but for emissions emanating from outside of the United States, there is no precedent for reversing a reclassification to the next higher classification. Thus, the EPA strongly encourages state submission of any 179B(b) demonstration and EPA action on the submission before the area is reclassified.
- b. When does EPA need to act on Colorado's 179B demonstration in order for Colorado to avoid reclassification?
 - i. Does EPA have to act on Colorado's submittal prior to the Jan. 2019 reclassification date?
 - See response above. EPA will need to act on Colorado's 179B demo in advance of the January 2019 reclassification date.

2. Demonstration Format

- a. If Colorado has an approved attainment plan for its Moderate Area SIP, does the 179B(b) demonstration need to be accompanied by a SIP revision?
 - A 179B(b) demo is not a SIP revision and thus is not subject to the CAA §110(a)(1) state "reasonable notice and public hearing" requirement. However, a state foregoing notice and comment may expose EPA's action on the demo to adverse comments that could have been resolved previously by

- the state, and (because it is unresolved) could potentially prevent EPA from approving the 179B(b) demo.
- EPA would need to offer its proposed action on the 179B(b) demo for public notice and comment.
- b. If EPA has not yet acted on Colorado's Moderate Area SIP (including the attainment demonstration), does the 179B(b) demonstration then need to be accompanied by a SIP revision?
- As long as the 179B(b) demonstration does not revise or modify Colorado's SIP, the state does not need to submit the demo as a SIP revision. EPA intends to act on Colorado's Moderate Area SIP/attainment demonstration in advance of the attainment due date.
- c. What should the narrative look like for supporting the demonstration?
- i. Can the demonstration follow the format of exceptional events packages?
 - EPA has not prescribed a format for 179B demonstrations, however, an exceptional events package template may be a useful starting point.
- d. What supporting technical analysis does Colorado need to include in their demonstration beyond just the modeling?
- See: 179B Analysis for PM2.5 Emissions Impacting Calexico in Imperial County [attachment A](#); and [Nogales, AZ](#) 179B Demonstration and SIP Revision.
 - Also, a demo for an area far from an international border may benefit from analyses similar to the clear causal relationship analyses in the Exceptional Events Rule (prior to the recent revisions).

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